

OCC BULLETIN

Comptroller of the Currency Administrator of National Banks

Subject: Notice of Comptroller of Currency

Fees for Year 2000

Description: Yes

Year 2000 Fee Structure

TO: Chief Executive Officers of all National Banks, Department and Division Heads, and all Examining Personnel

The purpose of this bulletin is to inform all national banks of fees charged by the Office of the Comptroller of the Currency (OCC) for year 2000. Unless otherwise specified, all fees are effective on January 1, 2000.

SEMIANNUAL ASSESSMENT

Reference: 12 CFR 8.2

Effective date: Assessments due January 31 and July 31, 2000.

The OCC's assessment schedule continues to include a 25 percent surcharge for national banks that require increased supervisory resources. The surcharge ensures that fees reflect the increased cost of supervision that applies to those banks and federal branches and federal agencies of foreign banks rated 3,4, or 5 under the Uniform Financial Institution Rating System (UFIRS) or the Risk management, Operational controls, Compliance and Asset quality (ROCA) rating system as of the call date subject to the assessment (i.e., December 30, 1999, or June 30, 2000). National banks and federal branches, and federal agencies of foreign banks that are subject to the surcharge determine their assessment by multiplying the original assessment by an additional 25 percent.

The OCC will continue to reduce the assessment of non-lead national banks by 12 percent. The rule defines a non-lead bank as a national bank that is not the largest national bank, based on total assets, controlled by a company owning two or more national banks. Non-lead national banks within any company should multiply their calculated assessment by 0.88 to recognize the 12 percent discount. The 12 percent discount also applies to non-lead federal branches and agencies.

The assessment regulation allows the OCC to adjust its assessment rates for inflation. For the sixth consecutive year, the Comptroller has waived any inflationary adjustment.

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Each national and District of Columbia bank, or federal branch or agency should calculate its assessment using the schedule below and then make adjustments for the non-lead discount or condition surcharge.

Assessment Fee Schedule

| If the amount of total assets (consolidated domestic and foreign subsidiaries) is: | | Assessment will be: | | | |
|--|---|--|--|--|--|
| Over | But Not Over | This Amount | Plus | Of Excess Over | |
| \$ 0 2 Million 20 Million 100 Million 200 Million 1,000 Million 2,000 Million 6,000 Million 20,000 Million 40,000 Million | \$ 2 Million 20 Million 100 Million 200 Million 1,000 Million 2,000 Million 6,000 Million 20,000 Million 40,000 Million | \$ 0 3,148 6,691 19,284 29,517 98,783 169,623 421,507 1,171,613 2,179,673 | 0.001574233 0.000196781 0.000157424 0.000102325 0.000086582 0.000070840 0.000062971 0.000053579 0.000050403 0.000033005 | \$ 0 2 Million 20 Million 100 Million 200 Million 1,000 Million 2,000 Million 6,000 Million 20,000 Million 40,000 Million | |

HOURLY RATE FOR EXAMINATIONS AND INVESTIGATIONS

Reference: 12 CFR 8.6

Effective date: Examinations and investigations subject to the fee beginning after January 1,

2000.

Rate: \$49.00 per hour to recover the cost of conducting special examinations and investigations of national banks, District of Columbia banks, and federal branches or federal agencies of foreign banks and for conducting investigations and examinations pursuant to 12 CFR Part 5, Rules, Policies, and Procedures for Corporate Activities.

No fees are imposed at this time for the examination of fiduciary activities of national and District of Columbia banks and related entities.

The OCC is exploring options for changing the assessment structure for any credit card bank or trust bank that is not affiliated with a full service national bank. Any proposed change to the OCC's fee structure will be issued for comment prior to final decision making. We do not anticipate these changes would affect examining fiduciary activities at full service national banks.

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CORPORATE FEES 1/

Reference: 12 CFR 5.5

Payment of Fees

Fees should be paid by check. Checks should be made payable to the "Comptroller of the Currency" and accompany the application.

The Corporate Fee Schedule is as follows:

| Application Type | Fee | |
|---|---------------------------------|--|
| New National Bank Charter Standard Streamlined Expedited Low- and Moderate-Income Area 2/ | \$15,000 7,500 3,000 0 | |
| Conversion to a National Bank Standard Expedited | 5,000 2,500 | |
| Business Combination $\underline{3}/$ Standard Expedited - Business Reorganization $\underline{3}/$ Expedited - Streamlined Application $\underline{3}/$ | 6,000 2,000 4,000 | |
| Failure Resolution Acquisition by de novo Group Acquisition by Existing Bank, Bank Holding Company, or Experienced Group | 7,500 2,000 | |
| Branches 4/ Standard Expedited Low- and Moderate-Income Area 2/ or Indian Reservations 4/ | 350 0 0 | |
| Branch Relocation Standard Expedited | 350 0 | |

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| Short-Distance | 0 |
|--|---|
| Main Office Relocation To Existing Branch Within City Limits Other - Standard Other - Expedited | 0 700 350 |
| Subsidiary <u>5/</u> Standard Expedited <u>6/</u> Multi-Bank Op Sub | 2,700 1,350 as above +100 for each add'l bank |
| Change in Bank Control 7/ New Entrant to System After-the-Fact Existing Officer/Director/National Bank Increase in Permanent Capital 8/ Standard Request For Approval Expedited Request For Approval | 10,000 5,000 2,000 500 250 |
| Reduction in Permanent Capital 9/ Standard Expedited | 500 250 |
| Subordinated Debt as Capital <u>10/</u> Standard Application For Approval Expedited Approval Request to Prepay | 1,000 500 250 |
| Fiduciary Powers Standard Expedited | 1,600 800 |
| Bank Service Corporation Standard Expedited | 2,000 1,000 |
| Stock Appraisal 11/ | 8,200 |
| Section 914 Notice (Changes in Directors or Senior Executive Officers) | 35 |
| Investment in Bank Premises | 0 |

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| Federal Branches and Agencies 12/ | |
|--------------------------------------|--------|
| Initial Federal Branch or Agency | 10,500 |
| Additional Federal Branch or Agency | |
| Standard | 1,000 |
| Expedited | 500 |
| Relocation | |
| Standard <u>13</u> / | 350 |
| Expedited | 0 |
| Short Distance | 0 |
| Change of Status - State to Federal | |
| Standard | 3,600 |
| Expedited | 1,800 |
| Change of Status - Other <u>14</u> / | |
| Standard | 700 |
| Expedited | 350 |
| Fiduciary Powers | |
| Standard | 1,600 |
| Expedited | 800 |
| Voluntary Liquidation | 0 |

CORPORATE FEES - Footnotes

- 1/ Expedited processing is available to eligible banks as defined in Parts 5 and 28. Applicants may request a reduced fee for transactions requiring multiple filings, steps or banks. Applicants requesting reduced fees should consult with the appropriate district office in advance of filing. Generally, fee concessions are not granted unless savings in OCC's processing cost are demonstrated.
- 2/ The OCC does not require a corporate filing fee for applications for new national bank charters or branches to be located in a low- or moderate-income area as defined in 12 CFR 25.12(l), (n)(l), and (n)(2), and where no other depository institution operates a branch or main office.
 - A charter application limited to trust activities or credit card operations sponsored by an eligible national bank, or by a company whose lead bank is an eligible national bank, will be charged the expedited review fee. However, the application is not eligible for expedited review.
- <u>3</u>/ The stated fees are for a transaction involving two banks. If more than two <u>affiliated</u> banks are involved and if the following criteria are met, the OCC may charge a fee of

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\$100 for each additional intrastate charter and \$200 for each additional interstate charter involved in the transaction. Otherwise, additional fees will be required equal to no more than one-half the stated fee times the number of banks, based on the marginal increases in OCC's processing costs attributable to the additional banks. Criteria: a) the acquiring bank is eligible, b) current national bank assets exceed non-national bank assets, and c) the combination presents no expected complications.

An application that does not qualify for expedited review because it involves either an interim bank, a trust bank, or credit card bank, is nonetheless charged the Expedited - Business Reorganization fee if: (1) the interim bank is merging with an eligible bank or (2) the trust bank or credit card bank is a subsidiary of a bank holding company whose lead bank is an eligible national bank, or is a subsidiary of an eligible national bank. However, the application is not eligible for expedited review.

The definition of business reorganization is found at 12 CFR 5.33(d)(2). The definition of a streamlined application is found at 12 CFR 5.33(j)(1).

- 4/ The fee listed is for one branch. Multiple branches filed together and published on the same date may be charged \$100 per additional bank branch. The OCC does not require a corporate filing fee for applications for branches to be located on an Indian Reservation.
- 5/ These fees apply to both operating and financial subsidiaries, unless otherwise noted.
- $\underline{6}$ / The bank must be eligible and the activity must qualify for expedited review.
- 7/ The fee for a change in bank control filing should be borne by the party(ies) acquiring the shares. The fee for increases by an existing officer or director is available for persons who have been associated with the bank for more than three years.
- 8/ A national bank generally need only submit a notice to increase its permanent capital. However, prior OCC approval is required to increase permanent capital if a bank is required by the OCC to obtain prior approval; it plans to sell common or preferred stock for consideration other than cash; or it will receive a material noncash contribution to capital surplus.
- <u>9/</u> Includes distributions from surplus or surplus accounts (unless to pay dividends from surplus that was transferred from prior period earnings); acquisitions of treasury stock; or retirement of outstanding shares. No fee is required for applications to pay dividends pursuant to 12 USC 60(b).
- 10/ Prior approval is required if the OCC has notified the bank that it must receive prior approval or the bank will become inadequately capitalized after the transaction. Otherwise,

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a bank may issue subordinated debt without prior OCC approval. However, if the bank would like the subordinated debt to count, as Tier 2 capital, it must provide the OCC with notification after the debt has been issued, no fee is charged for this request. No approval is required for eligible banks to repay subordinated debt.

- 11/ The fee for a stock appraisal must be borne by the surviving bank after a merger transaction.
- 12/ After-the-fact merger applications could be subject to a fee. If a fee is required, it will be determined based on the specific circumstances surrounding the transaction.
- 13/ Interstate relocations are processed under standard procedures.
- 14/ There is no fee for a downgrade in the status of the federal branch or agency.

PUBLICATIONS:

The OCC has an extensive list of hard-copy publications available for a fee, as well as publications available free of charge. For a list of hard-copy publications and current prices, please consult the attached price list. Please note that publication prices are subject to change before the next schedule of fees is published.

Copies of an array of items, including news releases, job announcements, issuances (such as bulletins, advisories, and alerts) and other materials may be downloaded free of charge from the agency's Web site at: http://www.occ.treas.gov. For your convenience, the site contains a search engine to locate materials by subject.

In addition to the Web site, copies of many items may be obtained through the agency's automated fax system. Items available include issuances, news releases, information on corporate applications, and job announcements. To obtain materials, phone (202) 479-0141. A series of voice prompts will guide you through the system.

MISCELLANEOUS FEES:

Bank Histories

Bank histories are available on the corporate transactions in a national bank's history. Corporate transactions include charter issues, name changes, mergers, closings, and other documents. For inactive banks, the agency only maintains liquidation records dated before the FDIC was established.

History – for single bank:

Less than 50 years \$ 50.00 Fifty years or more \$ 125.00

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| Certificate of Corporate Existence | \$ 1 | 100.00 |
|---|------|------------------------------|
| Copies | \$ | 10.00 |
| reedom of Information Act and Privacy Act Requests: | | |
| | \$ | 30.00 an hour |
| Photocopying | \$ | 0.15 a page |
| examination Reports: | | 1 0 |
| Initial Copy 1 | | Free |
| Additional Copies – Each | \$ | 10.00 |
| Special Requests – Each | \$ | 50.00 |
| Search and review Photocopying Examination Reports: Initial Copy Additional Copies – Each | \$ | 0.15 a page Free 10.00 |

Edward J. Hanley Senior Deputy Comptroller for Administration and Chief Financial Officer

Attachment - OCC Publications List

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